
State Government Committee

HB 1569

Brief Description: Excluding certain information supplied by a bidder on a public bid from public disclosure.

Sponsors: Representatives Armstrong, Haigh, Nixon, Miloscia, Tom, McDermott, Shabro and Benson.

Brief Summary of Bill

- Exempts from public disclosure certain financial and commercial information included in a public bid, so long as the information is marked privileged and confidential by the bidder.

Hearing Date: 2/11/03

Staff: Marsha Reilly (786-7135).

Background:

The open public records law was approved by state voters in 1972 as part of Initiative Measure No. 276. All public records of state agencies and local governments are open to public inspection and copying unless a law expressly excludes the public record from public inspection and copying. This disclosure requirement is liberally construed and any exception is narrowly constructed.

A person's right to privacy is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. Beyond that, only those records expressly identified are considered exempt from disclosure.

Since the law was enacted in 1972 many express exemptions have been enacted, including: (1) personal information in files that would violate the right to privacy; (2) certain taxpayer information; (3) certain financial and commercial information supplied by individuals applying for various programs; (4) residential addresses and residential telephone numbers of public utility customers, and many others.

Summary of Bill:

Financial and commercial information supplied pursuant to a public bid, other than the bid itself, when the information is marked privileged and confidential by the bidder, is exempt from public disclosure and copying. The exempted information may include, but is not limited to, financial and commercial information supplied pursuant to a public entity's request for escrow bid documents. Bidder includes any general contractor, subcontractor, or supplier that submits information pursuant to a public entity's request.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.